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The 2016 Scottish Parliament Elections: Unionist Parties and the Constitutional Divide

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Fiona Simpkins

Introduction

- 1 Political commentators have got used to calling Scottish Parliament election results historic and if the last election unusually failed to obtain such an epithet, its outcome was nonetheless surprising as it saw the Conservative party rise to second place and push back Labour to third position. Although the SNP failed to repeat its 2011 achievement and obtain an overall majority in spite of a semi-proportional electoral system explicitly designed to prevent such an outcome, it comfortably managed to win 63 out of the Scottish Parliament's total 129 seats. Incumbent First Minister and SNP leader, Nicola Sturgeon, was thus confident enough to form a minority government as had her predecessor, Alex Salmond, in 2007. There was scant evidence to support the idea of a different outcome before the election and the SNP's victory was widely expected, especially after it had wiped out all the unionist parties at the May 2015 general election, leaving them with a single seat each. The stakes of the election therefore unusually rested not on the winning party but on that of the main party of opposition.
- 2 Labour's painful electoral demise in its former Scottish stronghold and the relentless rise to power of the SNP have been strong indicators of the shifting grounds of the post-devolution Scottish political landscape. Yet, voting for the Conservative party in Scotland had become somewhat anathema to most Scots since the Thatcher era and the Tories were for long reduced to a "*political comic punchline*" to use the words of former Scottish Conservative leader Annabel Goldie.¹ The May 2016 Scottish Parliament election, however, saw the resurgence of the Conservatives in Scotland after they obtained a total of 31 seats (with 22% of the constituency vote and 7 constituency seats, and 22.9% of the

regional vote and 24 regional seats), that is sixteen more seats than previously held. In contrast, Labour's scores fell to 22.6% of the constituency vote and 3 seats, and 19.1% of the regional vote and 21 regional seats, losing a total of 13 seats overall. Clearly, the battle was held over the regional ballot. The political strength displayed by the SNP at the May 2015 general election served as a good indicator for the constituency ballot's predicted outcome as it is also held under the first-past-the-post system and therefore shifted the focus of the election to the party which would win the most regional seats under the Additional Member System used for the regional ballot. Voters therefore had to choose between a party that would help the SNP deliver their programme in government and maybe push it towards more radical reforms, or, crucially, a strong opposition party which would dampen some of the SNP's legislative programme and resist its impetus for constitutional reform. It is worth wondering then to what extent the constitutional issue was the determining factor in the rise of Ruth Davidson's Scottish Conservative party as the second party of Scotland and how this contributed to Labour's further downfall. We shall see that the campaign reflected the parties' recognition that the post-independence referendum electoral debate in Scotland is no longer defined along traditional left/right political lines but a divide between unionism and nationalism. A comparative perspective on Labour and the Conservative Party's attitude to devolution and post-devolution Scottish politics will shed light on the electoral demise of the former and the rising fortunes of the latter. This paper therefore seeks to examine the main unionist parties' differences in terms of structural and ideological adaptation to devolution within the broad centre-left consensus that characterizes the current Scottish political landscape.

Multi-level party politics organization and regional advocacy

- 3 The literature on federal and regionalized systems points to the significant role of parties in managing and alleviating conflict between state and sub-state levels. While a party may act as a centralizing force within a federal or regionalized system and reduce the diversifying impact of decentralization as is the case in the United States², political parties operating in a territorially differentiated governmental system more often than not experience a degree of decentralization themselves.³ Indeed, political parties within federal governmental systems, such as the SPD in Germany for instance, generally tend to be modelled along decentralized, federal structures, with substantial powers resting with regional branches.⁴ This is often the case as state and sub-state elections tend to be treated differently by voters: sub-state elections can be considered to express views on regional interests and identities, and dual voting patterns in terms of turnout and outcome are frequent. The level of dissimilarity between state and sub-state elections can either result from the strong autonomy of a region's political arena or pronounced anti-government swings (which would indicate that national politics still dominated the regional elections). In fact, the level of dissimilarity between Scottish Parliament and UK general elections has noticeably risen since devolution was first introduced in 1999. While Labour was still in power in Westminster and with the Blair and Brown governments becoming increasingly unpopular over time, the level of dissimilarity between Westminster and the Holyrood elections in 2007 might have reflected a degree of anti-government voting. Yet, studies of the 2007 campaign have stressed that Scottish issues outweighed UK-wide issues, in particular the incumbent Scottish government's record

and leadership as well as the advocacy of Scottish interests in British and EU politics.⁵ Many studies have emphasized the electoral saliency of parties being considered to further Scotland's distinctive interests⁶ and given the fact that the SNP is the only party in Scotland with no UK-wide counterpart which considers its support of Scotland's interests as its main *raison d'être*, it is no wonder then that it should score well on this criterion.

- 4 Although socio-economic issues along a left-right continuum dominate Westminster elections, Holyrood elections combine both partisan and territorial dimensions. Indeed, the territorial dimension of party competition appears to cut across the partisan divide and dominate Scottish Parliament elections. This would appear to indicate the emergence of a more autonomous sphere of sub-state party competition in Scotland, driven by the enhanced policy scope of its devolved Parliament.⁷ Yet, interestingly, the 2015 and 2016 election results have appeared to close the gap between Westminster and Holyrood elections and indicate the disappearance of dual voting patterns in Scotland. This suggests that the 2014 independence referendum has imposed the territorial dimension of party competition as the main battleground for all elections and that the Scottish political debate is now entirely predicated upon the constitutional issue.
- 5 Indeed, although its outcome was the *status quo*, the long independence referendum campaign appears to have transformed Scottish politics on a much deeper level than might have been expected. If the May 2015 general election results sent a clear signal of this as it returned 56 SNP MPs to Westminster out of a total of 59, the May 2016 Scottish Parliament election results – albeit less spectacular – are also a testimony of the profound changes that have appeared in the Scottish political debate. The division between the pro-independence parties led by the SNP within the Yes campaign and the three main unionist parties sharing a single political platform within the Better Together campaign has appeared to survive the referendum and created a new binary system centred along a fracture between unionists and nationalists. The three partners of the Better Together campaign represented both the left and right wings of the political spectrum, yet their association to represent a common position within a single organization during the independence referendum campaign suggests that these traditional left/right divisions were largely made redundant when the main issue at stake was the constitutional future of Scotland.
- 6 Significantly, while Scottish Labour and the Scottish Conservatives shared a unionist platform, their attitudes towards devolution and Scotland's constitutional position could hardly have been more different. While Labour had fully participated in the Scottish Constitutional Convention and introduced devolution under Prime Minister Tony Blair, the Conservatives had been traditionally opposed to devolution which they considered – maybe not entirely wrongly – as a “slippery slope to independence”. Yet a comparison of both parties' structural and organizational evolution since 1999 suggests that they integrated the Scottish dimension of politics differently and that this may have had an impact on their electoral scores. While comparative studies on multi-level party politics suggest that there is often a declining capacity of the major parties to maintain political hegemony due not only to a proliferation of new party alternatives, as is the case in Scotland, but also to a pluralization of political rifts with the classical functional divides of class and religion losing saliency in structuring party competition, they also point to regional advocacy as a central strand of sub-state party competition.⁸ In other words, giving voice to Scottish concerns and defending Scottish interests has become key to

winning an election. Yet this is more difficult for UK-wide parties such as Labour and the Conservatives, as the more the context of governing diverges between Westminster and Holyrood, the greater the difficulties in elaborating uniform party strategies and policy platforms. The two main British parties therefore need to find programmatic answers to the SNP's demands for independence which are satisfactory to their supporters in both Scotland and England. As the main architect of devolution, Labour may find it more arduous to propose a satisfactory compromise between the SNP's independence stance and the Conservatives' *status quo* or represent a clear position within the starkly polarized unionist-separatist political divide. This is particularly the case in a post-Brexit environment as the European issue tends to polarize the debate even further.

- 7 Until 2007, Labour was in power in both London and Edinburgh and while coalition politics in the latter provided some degree of incongruence, partisan harmony and policy coherence were facilitated by the party's electoral hegemony as well as a common political ground shared by the leaderships of both the UK and Scottish parties. Laffin *et al.* note that conflicts between the UK party and the Scottish party remained rare while Labour was in power in both Westminster and Holyrood: this could indicate either a high degree of party consensus or the leadership's efforts to avoid overt disagreements by marginalising opponents, stifling contradictory demands, shaping rules or managing the decision-making process.⁹ In fact, the need to respect the message and creed of British Labour appeared paramount and the party structure remained very much centralized.
- 8 After introducing devolution, Labour did take into account to at least some degree the need to decentralize some policy-making responsibilities. While responsibility for UK policy development was vested in the National Policy Forum, a new Scottish Policy Forum was created in 1998 to propose and elaborate policy ideas in devolved matters which would be subjected to the decision of the Scottish Conference and, if approved, could be added to the Scottish manifesto. If the Scottish Conference held a merely advisory function before devolution, it then became a sovereign body determining by a two-thirds majority which devolved policy item could form part of the Scottish Labour party's programme and perhaps be included in its manifesto. Yet, the final drafting of the manifesto remained the responsibility of a committee equally drawn from the Scottish Executive Committee and the Scottish Parliamentary Labour Group. Far from representing a bottom-up approach to policy, these changes thus implied a continuous top-down process involving the party leadership. Furthermore, reserved matters were still to be decided by the national policy procedures within the National Executive Committee and Scottish Labour was allowed very little input with its modest contribution of 12 members out of a total of 180 in the National Policy Forum. Besides, although the responsibility of candidate selection was entrusted to the Scottish Executive Committee (SEC) for Holyrood selections, the National Executive Committee – to which the SEC remains accountable – kept jurisdiction over all other selections. Finally, the relative autonomy of the Scottish party has been minimized by the material support of the UK party upon which the Scottish party has become increasingly dependent in recent years thereby tempering divergence in policy choices.¹⁰
- 9 This did not prevent the Scottish Labour party from pursuing a divergent political path to that proposed by the pro-business market-oriented New Labour party in London while it was in government. Yet this was due to Scotland's distinct institutional landscape and to the new centre-left consensus that emerged in the Scottish Parliament. While the Parliamentary Labour Party had to contend with the Conservative party in Westminster,

Scottish Labour was competing with other centre-left parties over its left-wing credentials. Yet, there were surprisingly few clashes over policy and party discipline appeared to have prevailed. The row over free personal care to the elderly was the most notable exception as it prevented British Labour from arguing that the policy was not affordable and undermined the coherence of the party discourse as a whole. This was not a straightforward conflict between the UK and Scottish parties, however, as the latter was itself bitterly divided over the issue. In fact, a true rift emerged after former Scottish leader Wendy Alexander called for an independence referendum in November 2007 (the famous 'Bring it on' strategy), after which she was obliged to back down and failed to obtain any support from the Labour leadership after a campaign funding scandal led her to resign.¹¹ This suggested that policy divergences were admitted so long as they concerned devolved matters and did not question or undermine the Labour party's brand politics and message. Yet, it also pointed to the inherent weakness of the Scottish Labour party as it had to choose between the cohesive electoral message of the party as a whole and its own electoral priorities in a different political landscape.

- 10 In contrast, the Scottish Conservative Party engaged in a crucial debate on its internal territorial structures after its defeat in the 1997 general election when it failed to win a single seat in Scotland. Until then, the Conservative Party had a very centralized approach to party organization. Although the Scottish Unionist Party had remained an affiliated yet constitutionally separate party until 1965, direct authority was thereafter exercised by the British leadership during a period which significantly coincided with a period of sharp electoral decline.¹² After 1997, the Scottish Conservative Party became an affiliated partner of the Conservative Party and, while it participated fully in UK-wide processes, its organization and internal procedures, over which it gained statutory control, remained independently managed. The Party Constitution therefore holds that Scottish members are obliged to follow UK party rules with respect to UK matters but will follow Scottish party rules with respect to Scottish matters, thereby enabling the Scottish party to acquire more autonomy in its management of devolved policy-making and organization. Moreover, if Conservative Party funding follows a similar centralist model to that of the Labour Party, it was never as dependent as the latter on membership fees. Indeed, the Conservative Party was always financed by individual donors and corporations foremost. Unlike Scottish Labour, the Scottish Conservatives thus enjoy substantial financial support from individual sponsors.
- 11 After the 1998 party reform, a party executive committee (Governing Board) and a Conservative Policy Forum were established. While the Governing Board remained responsible for the management of the party, the Forum, which is coordinated by a general council supporting the local discussion groups and issuing reports to the parliamentary party leadership, was charged with organizing policy debates and programmatic development. However, the Forum only has an advisory character and the elaboration of policy programmes and electoral manifestos remains largely in the hands of the parliamentary leader and his/her inner circle. This means that while there is some inclusion of Scottish representatives in the Board and the Forum, the extent of their contribution to statewide policymaking depends on the national party leader.¹³ Yet, in contrast with Scottish Labour, the Scottish Conservatives have enjoyed a greater degree of autonomy with respect to devolved policies as the Scottish election manifesto emerges from within the Scottish Conservative parliamentary group and is debated within the Scottish constituencies and the regional party executive. The Scottish Conservatives can

therefore develop their own proposals for Scottish matters without formal interference by the national party leadership. This autonomy has thus enabled the Scottish party to develop a more moderate, centrist policy profile on devolved issues in order to better adapt to the new devolved Scottish political landscape.¹⁴

Attitudes to devolution and constitutional reform during the campaign

- 12 One of the main consequences of the independence referendum campaign on the May 2015 and May 2016 elections is related to the fact that the referendum forced three unlikely partners into sharing a single political platform. This uneasy partnership led the three unionist parties to single out their own positions on the constitutional question and define their vision of a post-referendum Scottish society. The case was particularly pressing for the Labour party whose social aspirations and ideals are broadly similar to those of the SNP, in contrast with the clear differences that separate both parties from the UK Conservative Party for instance, notably in terms of governance of the welfare state. The debate therefore shifted to which constitutional settlement would better preserve these social ideals against what is widely accepted in Scotland as the Conservative Party's relentless attacks.
- 13 Labour thus set up its own Devolution Commission in 2012 charged with examining the current state of devolution and determining what new powers should be devolved to the Scottish Parliament. Its proposals, published in March 2014, promised to set Scottish rates of income tax, including higher rates for high earners of at least 50p in the pound, block cuts in business taxes and increase spending on housing. All of these became policy in the party's May 2016 manifesto with Kezia Dugdale's proposal to increase income tax by 1p in the pound and raise the income tax rate for those earning more than £150,000 from 45p to 50p. Paradoxically, it was in terms of welfare that the Labour Devolution Commission was least inclined to decentralize responsibilities, arguing that the welfare system was better protected by the pooling of UK resources whilst exposing itself to heavy criticism that it was precisely in the union that it suffered from reforms imposed by Westminster. This would be modified in the May 2016 manifesto as Dugdale's party advocated using the new powers of the Scottish Parliament to protect the NHS budget and protect education spending in real terms. In fact, Dugdale made much of the fact that the May 2016 election would be about which party would better use the new devolved powers of the Scottish Parliament. Yet, she repeatedly stressed that her party was "*focused on using [them] to invest in the future*", rather than "*re-running the old battles of the past*", thereby indicating her preference for the *status quo* and offering little if no prospects for further devolution or a reassessment of the current constitutional set-up.
- 14 In the end, this position is very similar to that reached by the Scottish Conservative Party leader Ruth Davidson. Before being narrowly elected as leader in November 2011, she expressed her belief in a strict compliance to the *status quo* as she claimed that there would be "*no half-way house, no second question – no march to fiscal autonomy. When the referendum is done, and Scotland in the Union has won the day, let that be an end to it*".¹⁵ Yet, she was soon forced to change her mind and came round to the view that the Scottish Parliament could offer an opportunity for her party, which could contribute in building a new Unionism in which the Conservative party could prosper. In March 2013, she

conceded that “a parliament with little responsibility for raising the money it spends will never be properly accountable to the people of Scotland. [...] So that means in future a far greater share of the money spent by the Scottish Parliament should be raised by it”.¹⁶ A working group was set up to examine specifically the question of strengthening devolution and the accountability of the Scottish Parliament by examining its structures and the extension of its powers over taxation. The Commission on the Future Governance of Scotland, as it was called, published its report in May 2014 and shared some similarities with the report published by Labour’s own Devolution Commission. Indeed, the Conservative commission also suggested that the Scottish Parliament should become responsible for setting rates and bands of income tax throughout Scotland but that pensions should stay within the remit of the UK Government. The report admitted that there was a case for devolving housing benefit and attendance allowance as well as conferring to the Scottish Parliament the power of supplementing benefits legislated for at UK level. This set out the new strategy later developed by the Scottish Conservatives during the May 2016 campaign as they were able to bypass their traditional opposition to devolution and negative attitude to the development of an increasingly powerful Scottish political arena which the Scotland Act 2016 introduced by a Conservative government further enhanced. They advocated instead a “fresh, positive drive to promote the benefits of the Union”. The 2016 manifesto clearly indicated that the party would “not focus on the downsides of independence – though there are many – but on the strengths and values of the Union”.¹⁷

- 15 Although the main unionist parties do not share a single vision of Scotland’s constitutional future, their positions have appeared grounded in the defence of the *status quo* and none of them has campaigned in the recent election for further devolution of powers than those already devolved with the Scotland Act 2016, leaving the fracture between the unionist and nationalist camps intact. The new powers and responsibilities, devolved with the Scotland Act 2016, are the result of the Smith Commission set up immediately after the independence referendum in order to fulfil the Vow published in the *Daily Record* by the three unionist leaders a few days before the referendum in which they promised to devolve more powers from Westminster to the Scottish Parliament in Edinburgh. Yet, these powers have been severely criticized by pro-independence parties and political commentators alike for being too timid and falling short of the Devo Max solution which has now appeared as the preferred constitutional option in Scotland for several years.¹⁸ While the SNP have made much of demanding further powers than those proposed, the unionist parties have unanimously advocated moving on. The Scottish Liberal-Democrats expressed in their manifesto their commitment to “move on from the independence debate, to bring unity and healing the divisions of the referendum”.¹⁹ Likewise, the Scottish Labour Party expressed its belief that voting to remain in the United Kingdom in the independence referendum in 2014 was the “right decision for Scotland” and that “it is time for both sides to move on”²⁰ while the Scottish Conservatives claimed that “Scotland spoke and the question should now be settled for a generation”.²¹ Furthermore, all three parties rejected a second independence referendum during the campaign in case of a Brexit vote: Labour stressed the idea that the new devolved powers meant Holyrood could “now make different decisions, and act in the best interest of the people of Scotland”²² while the Conservatives accused the SNP of breaching the Edinburgh Agreement and failing to respect the outcome of the referendum. There was little then during the campaign to differentiate the two main unionist parties with regard to their attitude to devolution.

Establishment vs opposition: making the difference in a centrist policy consensus

- 16 In fact, one of the most striking characteristics of the 2016 Scottish Parliament campaign was the degree of similarity between the main parties' manifestos and the rather large centrist consensus over policy. Scotland's four biggest political parties all proposed increasing early years' childcare and reducing the educational attainment gap, as well as promising extra funding for the NHS and building more affordable housing, although different priorities were put forward to achieve these goals. While Labour and the Liberal-Democrats proposed to tackle the main problems related to health and education through increased funding derived from an increase of income tax by 1p in the pound, the Conservatives offered to bring back prescription charges and invest the money saved in health services and new medicines as well as reinstate a graduate endowment grant for higher education to raise £100 million by the end of the Parliament. Meanwhile, the SNP expressed a vague commitment to use the Scottish Parliament's new powers over tax and social security to "*expand [Scotland's] economy and lift more people out of poverty*", yet at the same time stressed its "*belief that the NHS must remain a publicly funded service, free at the point of use*" and that it should protect free university education.²³
- 17 In fact, taxation was perhaps the main area where the parties diverged. On the one hand, the SNP's tax policies would remain close to the UK's as they offered to leave the basic rates and additional rates of income tax at their present level, while raising the threshold for higher rate by inflation, a policy very similar to that of the Conservatives who were committed to complying entirely with the UK system. On the other hand, the Liberal-Democrats and Labour were both committed to adding a penny to all tax bands. The SNP and the Conservatives were furthermore committed to retaining the Council Tax with moderate amendments while the Liberal-Democrats and Labour offered more radical reforms and were keen to replace the Council Tax altogether with a fairer system.
- 18 There was little then to distinguish the unionist parties' manifestos during the May 2016 Scottish Parliament campaign and they thus found it difficult to move away from the constitutional issue, which continued to dominate the political debate during the campaign. The fault line between both sides of the constitutional divide appeared most clearly in the attempt made by the unionist parties to portray the SNP as a party of the establishment in contrast with the new radical stance which each of them wished to represent. Labour's manifesto was qualified as "*the most radical manifesto ever*" by its leader, Kezia Dugdale, who liked to repeat during the campaign that she was "*less interested in taking selfies and more interested in taking on the establishment*". The Scottish Labour party's manifesto also consistently associated the SNP Government with cuts to public and local services as well as centralization of power throughout the document in an attempt to associate the nationalist Scottish Government with the Conservative Government in Westminster as part of the wider establishment. The SNP, it claimed, had allowed Holyrood to become "*a conveyor belt for Tory cuts*". Most ironically, Conservative Prime Minister David Cameron himself mentioned Scotland as a "*one party state*" at the Scottish Conservative conference, claiming that the SNP "*have been in power for nine years – they are the establishment*". Likewise, much of the Scottish Liberal Democrats' manifesto was devoted to reversing "*the SNP's centralisation of Scotland*", "*to roll back the top-down, target-driven, one-size-fits-all culture that distorts our public services*".²⁴

- 19 It is admittedly difficult to deny that the SNP, who have now indeed been in government for nine years and currently hold a majority of Scottish MPs in Parliament, have become the establishment. Yet the unionist parties' strive to appear more radical than the SNP was fundamentally flawed in two respects: the first, obviously, is that the three parties have been themselves firmly part of the UK establishment for decades (Labour was still in government six years ago and have a large number of peers in the House of Lords, so do of course the two former partners of the last coalition government), and the second is that in spite of its domination of Scottish politics, the SNP irremediably retains the radical image infused by its flagship policy on Scotland's independence. Finally, we could add that since the electoral manifestos of Scotland's main political parties – including the SNP – showed that there was considerable agreement between them on many of the main issues, the attacks brought upon the nationalists by both left and right of the political spectrum served to stress once more that the dividing line in the Scottish political debate was now firmly set between both sides of the constitutional issue and that the outcome of Scottish elections no longer predicated upon the left-right continuum.
- 20 In fact, another clear sign of this came with the ostentatiously centrist campaign fought by the SNP. In sharp contrast to the more radical campaigns of preceding years, the SNP chose to triangulate when it came to new income tax powers and preferred to position itself firmly to the centre, between the Labour party on its left and the Conservatives to its right. The mantra of “social justice” which had pervaded the party's discourse during the preceding two years was conspicuous by its absence in the party's 2016 manifesto.²⁵ This would suggest that the constitutional issue alone was able to maintain the SNP's claim that it stood for Scotland, rather than a more left-wing positioning aiming at reversing the deleterious effects of Conservative austerity politics in Westminster. Kezia Dugdale's inability to reverse her party's electoral misfortunes in spite of her tilt to the left and the Conservative (and Unionist) Party's rise to second place come as further evidence of this. Finally, although the fall in the Labour vote appears to reflect the rise in the Conservative vote in some constituencies, it seems rather unlikely that a majority of voters in Scotland “jumped from red to blue” and switched their vote to the Conservative party, as Michael Keating points out.²⁶ Not only is there differential turnout to consider, but voting patterns suggest that rather than just benefiting from former New Labour voters disappointed with Kezia Dugdale's turn to the left as some commentators suggested, the Conservative party attracted centre-right voters who once supported the Liberal Democrats (particularly in Aberdeenshire and Southern Scotland). They also appealed to non-nationalist SNP voters: there were considerable swings from the SNP to the Conservatives in 19 SNP seats – including those of John Swinney and Roseanna Cunningham – mostly in rural small-town areas where the SNP built its heartlands in the 1980s and 1990s. Finally, they benefited from the votes of re-energized Conservative voters who had perhaps no interest in Scottish Parliament elections until it was given taxation powers. On the other hand, Labour continued suffering swings away to the SNP in 39 constituencies and lost seats in its former industrial powerbase in Motherwell and Wishaw, Rutherglen, Coatbridge and Chryston, Cowdenbeath, Edinburgh Northern and Leith, Glasgow Provan, Glasgow Maryhill and Springburn, as well as Greenock and Inverclyde.
- 21 Indeed, Scottish Labour tried to overcome its difficulties in two ways during the May 2016 election campaign: first by distancing itself from Westminster politics in a bid to appear more Scottish and secondly by trying to outflank the SNP from the left. Yet, this radical

left-wing stance met two main problems: the first, as we have seen, was the broad centre-left welfarist consensus that dominates Scottish politics with few differences to be found between Labour and the SNP on a wide set of issues, as both parties broadly agree on opposing cuts to public services and protecting the welfare system, as well as supporting a living wage. The second, is that it has emerged that the nationalists were able to capture much of Labour's traditional voter base from the Scottish referendum onwards. According to the Ashcroft and YouGov polls of September 2014, those in working class occupations (47% to 50%) were more likely to vote Yes than those in more middle class jobs (41% to 44%). On average, only 32% of freehold home owners supported independence compared to more than half of people who rent their property from a council or housing association.²⁷ Scottish Labour's focus on an electoral base which has already defected to the SNP rather than a middle-class unionist electorate has proved to be a strategic error as the Scottish Conservatives and the SNP made a bid to capture it themselves. Finally, Labour's lack of commitment to further devolution and the wavering opinions of its leader on the issue of independence, which Kezia Dugdale said she would support if Scotland voted at odds with the rest of the UK during the Brexit referendum, may have deterred staunch unionists from supporting the party.

- 22 In contrast, the Scottish Conservatives clearly assessed the main fault-line in Scottish politics as they made a bid to become the main party of opposition on a unionist platform. In fact, the term even appeared on the front cover of the Conservative manifesto and was used as the Conservative slogan (*A Strong Opposition. A Stronger Scotland.*).²⁸ This is most unusual as Ruth Davidson appeared to indicate that she stood no chance of winning the election and was running for opposition leader rather than First Minister. She also ran a strong campaign matching the SNP's personality-led slogan "*Re-Elect Nicola Sturgeon*" with her own personality-centred "*Ruth Davidson for a strong opposition*". In fact, an April 2016 YouGov poll for the *Times* showed that more respondents believed that she would make a better opposition leader (33%) than Kezia Dugdale (18%).²⁹ Even amongst Labour supporters, only 44% said she would make the better opposition leader. Similarly, Panelbase polls for the *Sunday Times* showed that more people answered that they were satisfied with her performance as leader than with Kezia Dugdale's.³⁰
- 23 Finally, uniquely among Scotland's unionist parties, the Scottish Conservative manifesto was astutely based on a strong unionist message and fully acknowledged the new defining divide in Scottish politics in the aftermath of the referendum. The Scottish Conservatives chose to use the full name of the party (Scottish Conservative and Unionist Party) to appear on their manifesto and all electoral material rather than the shorter version that it habitually uses; the main headlines of the manifesto were geared towards marking the party as a party of opposition against the SNP's independence project³¹. Ruth Davidson conceded that she would not be able to win the election and that the SNP were on course for another victory, before matching Nicola Sturgeon's "job application" in the SNP manifesto with her own application for the job of opposition leader, thereby clearly positioning itself on the other side of Scotland's constitutional divide as the voice of all unionist voters.³²

Conclusion

- 24 In the end, it is the recognition that the Scottish political landscape irremediably changed after the independence referendum that was able to raise the Conservatives from the

ashes in Scotland. Their success is largely due to their astute decision to voice the concerns of a silent majority of unionist voters in Scotland worried that a third SNP Government with a majority in Westminster may be able to push for a second referendum after a vote for a British exit from the EU in June 2016. In contrast, Labour's failure to admit that the constitutional issue now transcends the traditional left/right divisions has further weakened it as a political force in Scotland. It remains to be seen, however, whether the Conservatives' opposition to a second referendum vote after Brexit and their preference for the status quo will be sufficient to meet the concerns of an electorate that voted largely in favour of remaining in the EU. The issue will become particularly thorny for the Scottish Conservatives as Scots are now faced with the prospect of a diminished devolution settlement in Scotland after Prime Minister Theresa May warned that powers heretofore vested in Europe would be repatriated to Westminster rather than Holyrood. The increasing polarization of the constitutional divide which currently characterizes Scottish politics as a consequence of the Brexit vote in the June 2016 referendum and the intransigence of the Conservative government in Westminster over the powers to be repatriated from Europe might therefore offer an opportunity for the middle-ground solution along more federal lines which has recently been proposed by Labour. Indeed, the "settled will of the Scottish people" may have to find a new party to champion its cause.

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by the Electoral Commission showed Scottish Labour spent £337,814 fighting the 2016 Scottish Parliament election, that is 59% less than the £816,889 it spent on the 2011 campaign. The party's slump in the polls therefore mirrors a deterioration of its finances and a sharp loss of confidence among donors. Significantly, the figures released by the party in February 2017 underline Scottish Labour's increasing reliance on financial support from the UK party despite its leader's attempts to make it more autonomous in terms of policy and personnel. The issue of funding will become increasingly pressing for the party if it continues losing the support of its main donors and becomes increasingly dependent on the trade unions and cross-border subsidies from the British party.

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31. "Ruth Davidson for a Strong Opposition", "No to a Second Referendum", "Holding the SNP to Account", and "A Scottish Conservative and Unionist Approach". In the foreword, Ruth Davidson once again acknowledged the distinctiveness of a new Scottish political landscape defined along the unionist/separatist axis: "This is not a normal foreword, nor is this a normal manifesto. That's because this isn't a normal election".
32. "As much as I would like to imagine myself First Minister in a few weeks' time, with my new cabinet around me; I know that this is not the job the majority of Scotland's voters have in mind for me on May 5th";

“Instead, I’m applying for another job. Because there is an important vacancy in Scottish public life that I, along with my team, are best placed to fill. And that is the vacancy for a strong opposition”.

ABSTRACTS

If voting for the Conservative party had become somewhat of a rarity in Scotland since the Thatcher era, the May 2016 Scottish Parliament election ushered in a new era, as it saw the resurgence of the Scottish Conservatives after they obtained a total of 31 seats. A comparative perspective on Labour and Conservative Party attitudes to devolution and post-devolution Scottish politics will shed light on the electoral demise of the former and the rising fortunes of the latter. This article seeks to examine the main unionist parties’ differences in terms of structural and ideological adaptation to devolution within the broad centre-left consensus that characterizes the current Scottish political landscape.

Si le vote conservateur s’était raréfié en Ecosse depuis les années Thatcher, les élections législatives écossaises de mai 2016 signalèrent une nouvelle ère avec le retour des conservateurs et leur obtention de 31 sièges. Une perspective comparative sur les attitudes des travaillistes et des conservateurs à la dévolution et à la nouvelle politique écossaise permettra d’apporter certains éclairages sur la chute électorale des premiers et la réémergence des seconds. Cet article analysera ainsi les différences entre les principaux partis unionistes écossais en termes d’adaptation structurelle et idéologique à la dévolution au sein même du large consensus de centre-gauche qui caractérise le paysage politique écossais actuel.

INDEX

Mots-clés: Scottish Parliament elections, Scottish politics, political parties, devolution, nationalism, Scottish independence

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